

1 **Amendment to the Claims**

2 **In the Claims:**

3 Please amend Claims 1-13, 15-18, 20, 22-26, 29, 30, 32-34, 35-37, 39-41, and 45-47 as
4 follows:

5 1. (Currently Amended) A method for facilitating automated sale of softgoods, comprising
6 the steps of:

7 (a) providing a creator program to a creator of the softgoods that automatically
8 includes a unique identifier in each softgood before the softgood is distributed to prospective
9 purchasers, said unique identifier specifically referencing the creator of the softgoods, the creator
10 program producing unencrypted softgoods that require the use of a specific player program to enable
11 playback of unencrypted softgoods authored with the creator program, the specific player program
12 being configured to determine if the unencrypted softgood is registered on the computing device on
13 which the specific player program is installed before enabling playback of an unencrypted softgood
14 that was produced by the creator program, so that if an unencrypted softgood is not registered on the
15 computing device on which the specific player program is installed, the specific player program
16 enables playback of said unencrypted softgood in a demo mode, and if the unencrypted softgood is
17 registered on the computing device on which the specific player program is installed, the specific
18 player program enables playback of said unencrypted softgood in a full mode, wherein registration of
19 the unencrypted softgood is implemented by creating a registration value that is accessible by the
20 computing device, a different registration value being created for each unencrypted softgood
21 registered on the computing device;

22 (b) distributing the unencrypted softgoods and the specific player program to
23 prospective purchasers, such that the distribution is not limited to a distribution over private
24 networks; and

25 (c) providing an agency having a server that implements unencrypted softgood
26 purchase transactions and maintains a database in which data relating to the sale of unencrypted
27 softgoods are stored, unique identifiers of the unencrypted softgoods being referenced in the database
28 to track the unencrypted softgood purchase transactions, such that for unencrypted softgoods that are
29 purchased, the database maintains data relating to purchasers of the unencrypted softgoods for as long
30 as the agency is managing purchases of the unencrypted softgoods, ~~softgoods that were distributed to~~

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1 ~~the prospective purchasers and then purchased being unchanged as a result of a purchase transaction~~
2 ~~said agency responding to a purchase of an unencrypted softgood by transmitting the registration~~
3 ~~value identifying the unencrypted softgood that was purchased to a first computing device used to~~
4 ~~initiate the purchase, so that a first copy of the specific player program installed on the first~~
5 ~~computing device will recognize that the unencrypted softgood that was purchased is registered on~~
6 ~~the first computing device and thus enable playback of the unencrypted softgood that was purchased~~
7 ~~in the full mode, whereas a second copy of the specific player program installed on a different~~
8 ~~computing device does not enable playback of the unencrypted softgood that was purchased in the~~
9 ~~full mode, unless the registration value for the unencrypted softgood that was purchased is provided~~
10 ~~to the different computing device, thereby registering the unencrypted softgood that was purchased~~
11 ~~on the different computing device.~~

12 2. (Currently Amended) The method of Claim 1, wherein the unique identifier for each
13 unencrypted softgood also references a unique identifier for the creator program provided to the
14 creator, ~~said program being~~ and used to create the unencrypted softgood, the unique identifier
15 distinguishing the specific copy of the creator program used by the creator from all other copies of
16 the creator program.

17 3. (Currently Amended) The method of Claim 1, wherein the creator program automatically
18 communicates the unique identifier for the unencrypted softgood over a network to the server for
19 storage in the database.

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20 4. (Currently Amended) The method of Claim 1, wherein the unique identifier of the
21 unencrypted softgood is communicated to the agency for storage in the database by the server during
22 the purchase transaction for said unencrypted softgood.

23 5. (Currently Amended) The method of Claim 1, further comprising the step of automatically
24 including a base price within each unencrypted softgood prior to the step of distributing the
25 unencrypted softgoods.

26 6. (Currently Amended) The method of Claim 1, ~~further comprising the step of providing a~~
27 ~~program for playing the softgood that also communicates with the server to enable the purchase of~~
28 ~~the softgood wherein the registration value for the purchased unencrypted softgood transmitted by the~~
29 ~~agency includes an identity of the purchaser, so that the registration value for the unencrypted~~
30 ~~softgood that was purchased cannot be registered on an additional computing device to enable a copy~~

1 of the specific player program installed on the additional computing device to playback the
2 unencrypted softgood in the full mode, unless the purchaser is identified as an authorized user of the
3 additional computing device.

4 7. (Currently Amended) The method of Claim 1, wherein the unique identifier for an
5 unencrypted softgood is communicated to the agency and entered into the database when the
6 unencrypted softgood is first purchased.

7 8. (Currently Amended) A method for facilitating purchase of an unencrypted softgood that is
8 freely distributed to prospective purchasers for preview within a player program and which includes a
9 unique identifier that is assigned to the unencrypted softgood before the unencrypted softgood is
10 distributed, comprising the steps of:

11 (a) enabling prospective purchasers to preview the unencrypted softgood with the
12 player program to a limited extent, prior to deciding to purchase the unencrypted softgood, wherein
13 during such preview, a prospective purchaser possesses a complete copy of the unencrypted softgood, but
14 the player program controls access to the unencrypted softgood and allows the prospective purchaser only
15 limited access to the unencrypted softgood;

16 (b) enabling purchase of the unencrypted softgood from within the player program
17 by connecting a computer on which the player program is executing with an e-commerce agency to
18 initiate a network transaction, purchase of the unencrypted softgood causing data related to the
19 purchase to be recorded in the a database of the e-commerce agency and causing a registration value
20 that references the unique identifier to be transmitted to the computer on which the player program is
21 executing, a different registration value being provided for each unencrypted softgood that is
22 purchased; and

23 (c) ~~using the player program,~~ registering the unencrypted softgood on the
24 computer employed for the network transaction using the registration value provided by the
25 e-commerce agency, each registration value received being added to a softgood registration file
26 stored on the computer employed for the network transaction, registration of the unencrypted
27 softgood on the computer enabling the unencrypted softgood to be played by the player program
28 beyond the limited extent of the preview, the program player thereafter allowing a purchaser who has
29 thus purchased the unencrypted softgood to fully access the softgood.

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1 9. (Currently Amended) The method of Claim 8, further comprising the step of including at
2 least one of an identification of a creator of the unencrypted softgood, an identification of a specific
3 copy of a software product used to produce the unencrypted softgood, and a price in the softgood,
4 prior to its distribution.

5 10. (Currently Amended) The method of Claim 8, further comprising the steps of using the
6 player program to transmit an identification of a purchaser of the unencrypted softgood to the
7 e-commerce agency during the network transaction, to enable the e-commerce agency to debit a financial
8 account of the purchaser for a purchase price of the unencrypted softgood.

9 11. (Currently Amended) The method of Claim 10, wherein financial account numbers of
10 purchasers of unencrypted softgoods are stored in the database, a financial account number of a
11 purchaser being used to debit an account of said purchaser as a result of the network transaction.

12 12. (Currently Amended) The method of Claim 8, wherein the step of registering comprises
13 the step of modifying the unencrypted softgood to include the registration value and recording the
14 registration value in a file, said registration value referencing at least one of an identification of the
15 player program, an identification of the user, and the unique identifier for the unencrypted softgood.

16 13. (Currently Amended) The method of Claim 8, further comprising the step of including a
17 prohibition of a purchaser modifying the unencrypted softgood within the unencrypted softgood.

18 14. (Original) The method of Claim 8, further comprising the step of registering each
19 instance of the player program with a player identification in the database of the e-commerce agency.

20 15. (Currently Amended) The method of Claim 14, wherein the registration value comprises
21 a combination of at least two of: the unique unencrypted softgood identification, the player
22 identification, and an identification of the purchaser of the unencrypted softgood.

23 16. (Currently Amended) The method of Claim 8, wherein the unencrypted softgood is not
24 usable on the computer for more than a predefined number of times, unless registered on the computer.

25 17. (Currently Amended) The method of Claim 8, wherein the step of enabling prospective
26 purchasers to preview the unencrypted softgood comprises the step of permitting the unencrypted softgood
27 to be played with only a substantially reduced quality, unless registered on the computer.

28 18. (Currently Amended) The method of Claim 8, further comprising the step of sending a
29 message over the network to advise a purchaser of the registration value that was used to register the
30 unencrypted softgood on the computer of the purchaser.

19. (Original) A computer-readable medium having computer-executable instructions comprising the player program, for performing the steps recited in Claim 8.

20. (Currently Amended) A method for controlling play of an unencrypted softgood on a computer using a player program, said player program also being employed to purchase the unencrypted softgood through a network transaction, comprising the steps of:

(a) enabling a user to preview the unencrypted softgood on the computer within the player program, the player program being configured to determine if the unencrypted softgood is registered on the computer on which the player program is installed before enabling playback of an unencrypted softgood, so that if a particular unencrypted softgood is not registered on the computer on which the player program is installed, the player program enables playback of the particular unencrypted softgood in a demo mode, and if the particular unencrypted softgood is registered on the computer on which the player program is installed, the player program enables playback of the particular unencrypted softgood in a full mode, wherein the registration is implemented by providing a registration value, a different registration value being required for each unencrypted softgood; and

(b) enabling the user to purchase the unencrypted softgood through a transaction conducted from within the player program, such that after the user has purchased the softgood, the softgood is registered on the computer using a registration value provided during the transaction, said registration value identifying being based in part on a unique identifier for the softgood provided by a software program used to create the softgood, each registration value received being added to an unencrypted softgood registration file stored on the computer, registration of the unencrypted softgood on the computer providing access to the unencrypted softgood in accord with a license to the unencrypted softgood so that it is thereafter playable on the computer with the player program beyond a preview limit.

21. (Previously Canceled)

22. (Previously Amended) The method of Claim 20, wherein if the unencrypted softgood is transferred to a different computer after being purchased, the unencrypted softgood must again be registered on the different computer to enable the unencrypted softgood to be played beyond the preview limit on the different computer.

23. (Currently Amended) The method of Claim 20, wherein the registration value includes is further based on at least one of:

- 1 (a) a ~~unique identifier for the~~ name of the purchaser of the unencrypted softgood;
2 (b) a unique identifier for the player program; and
3 (c) an identifier for a creator of the unencrypted softgood; and
4 (d) ~~a name of the purchaser of the softgood.~~

5 24. (Currently Amended) The method of Claim 20, wherein the step of enabling the user to
6 purchase the unencrypted softgood through a transaction conducted from within the player program
7 comprises the steps of:

8 (a) confirming that a financial account number provided by a purchaser is valid
9 and is approved for purchase of the unencrypted softgood by checking the financial account number
10 with an approval service during the transaction; and if the financial account number is valid and
11 approved,

12 (b) transmitting the registration value to the purchaser; and if not,

13 (c) advising the purchaser that purchase of the unencrypted softgood was
14 disapproved.

15 25. (Currently Amended) The method of Claim 20, further comprising the step of
16 maintaining a database on an e-commerce server in which an identification of each purchaser and a
17 list of each unencrypted softgood purchased by each purchaser are included, to facilitate distribution
18 of at least a portion of the purchase price of the softgood to a creator of the unencrypted softgood,
19 and to store the registration value so that the purchaser can again reregister the unencrypted softgood
20 on a computer if the registration of the unencrypted softgood on the computer is lost.

21 26. (Currently Amended) The method of Claim 25, wherein data stored in the database also
22 include a financial account number for each purchaser of unencrypted softgoods, said financial
23 account numbers being provided by the purchasers, further comprising the step of charging the
24 financial account referenced by the financial account number of a purchaser during the transaction.

25 27. (Original) The method of Claim 26, further comprising the step of encrypting the
26 financial account number for transmittal over the network to the database.

27 28. (Original) The method of Claim 27, wherein the player program is used to encrypt a
28 communication for transmission over the network during the transaction.

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1 29. (Currently Amended) The method of Claim 25, wherein the database also includes a
2 current price for each unencrypted softgood, further comprising the step of advising a purchaser of
3 the current price of the unencrypted softgood being purchased during the transaction.

4 30. (Currently Amended) The method of Claim 21, further comprising the step of employing
5 the player program to transmit information over a network to an e-commerce agency to implement
6 purchase of an unencrypted softgood, using a secure communication protocol.

7 31. (Original) A computer-readable medium having computer-executable instructions for
8 performing the steps recited in Claim 20.

9 32. (Currently Amended) A system for facilitating purchase of an unencrypted softgood of
10 which copies are freely distributed to prospective purchasers for preview prior to purchase, said
11 unencrypted softgood having a unique identifier that is included within the softgood before its
12 distribution, comprising:

13 (a) a purchaser computer that includes a first processor, a first memory in which a
14 plurality of machine instructions are stored that implement a plurality of functions when executed by
15 the processor, a first network interface coupling the computer in communication with a network, at
16 least one user interface for input of data to the memory, and a display on which graphics and text are
17 displayed;

18 (b) a remote computer that includes a second processor, a second memory in
19 which are stored a plurality of machine instructions that implement a plurality of functions when
20 executed by the second processor, and in which a database containing data relating to purchases of
21 softgoods are stored, a second network interface coupling the remote computer in communication
22 with the network and thereby selectively coupling the remote computer in data communication with
23 the purchaser computer via the network;

24 (c) an unencrypted softgood comprising machine instructions or media data that
25 are loaded into the first memory of the purchaser computer, the softgood not including any copy
26 protection that prohibits the softgood from being freely copied and freely distributed, other of the
27 machine instructions stored in the first memory comprising a player program that uses the softgood,
28 said player program carrying out a plurality of the functions when the machine instructions of the
29 player program are executed by the first processor, including:

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1 (i) enabling the unencrypted softgood to be previewed to a limited extent
2 prior to the user purchasing the unencrypted softgood;

3 (ii) enabling the user to purchase the unencrypted softgood in a transaction
4 with the remote computer that is conducted over the network;

5 (iii) registering the unencrypted softgood on the purchaser computer after
6 the softgood has been purchased, said softgood being thus registered using a registration value
7 provided by the remote computer, each registration value received being added to a registration file
8 stored on the purchaser computer; and

9 (iv) checking for a registration of the unencrypted softgood on the purchaser
10 computer and enabling the unencrypted softgood to be used by the player program beyond the limited
11 extent of the preview only if the unencrypted softgood is determined to be registered on the purchaser
12 computer; and

13 (d) wherein said plurality of functions implemented by said second processor in
14 the remote computer include:

15 (i) responding to a request to purchase the unencrypted softgood received
16 over the network from the purchaser computer;

17 (ii) confirming an approval of a credit purchase by the user of the
18 purchaser computer with a credit approval agency that is coupled to the network;

19 (iii) determining the registration value as a function of at least the unique
20 identifier of the unencrypted softgood and sending the registration value to the ~~remote~~ purchaser
21 computer over the network to register the unencrypted softgood on the purchaser's computer, each
22 registration value received being added to the registration file stored on the purchaser computer; and

23 (iv) allocating a portion of a purchase price of the unencrypted softgood set
24 by terms of a prior agreement to a creator of the softgood.

25 33. (Currently Amended) The system of Claim 32, wherein the plurality of functions
26 implemented by the second processor include:

27 (a) , checking the data stored in the database to determine if data for the user
28 purchasing an unencrypted softgood are already included within the database; and if so,

29 (b) using a financial account number included in the data for implementing the
30 purchase of the unencrypted softgood; and

1 (c) storing the unique identifier for the unencrypted softgood purchased in
2 association with the user, within the data of the database.

3 34. (Currently Amended) The system of Claim 32, wherein the registration value is further based
4 on at least one of:

- 5 (a) a user identifier that identifies the purchaser of the unencrypted softgood;
6 (b) an identifier for the creator of the unencrypted softgood;
7 (c) a unique identification for the player program; and
8 (d) an identification of the purchaser of the unencrypted softgood.

9 35. (Currently Amended) A system for facilitating automated sale of unencrypted softgoods
10 from which a revenue stream is returned to each creator of the unencrypted softgoods, each unencrypted
11 softgood including a unique identifier, comprising:

12 (a) creator computers that execute at least one software program used by creators
13 of the unencrypted softgoods to produce the unencrypted softgoods and to assign the unique identifier
14 to the unencrypted softgoods produced thereby, said creator computers including network interfaces
15 that couple the creator computers to a publicly accessible network, the creators of the unencrypted
16 softgoods entering into agreements with an e-commerce agency in which the e-commerce agency
17 agrees to facilitate the automated sale of the unencrypted softgoods and to return a portion of the
18 revenue stream from the automated sale to the creators of the unencrypted softgoods; and

19 (b) a server computer operated by the e-commerce agency, said server computer
20 maintaining a database in which data relating to the unencrypted softgoods are stored, said data
21 including unique identifiers for the unencrypted softgoods, said server computer also including a
22 network interface coupling the server computer in communication with the publicly accessible network
23 and receiving being configured to receive the unique identifier for each unencrypted softgood from one
24 each of:

25 (i) the creator computers before distribution of the unencrypted softgood
26 to prospective purchasers; and

27 (ii) a user of the unencrypted softgood at a sale of the unencrypted
28 softgood, a purchase of an unencrypted softgood being initiated when an unencrypted softgood is
29 being used, said purchase by a user of the unencrypted softgood causing the server computer to
30 confirm approval of a credit transaction for the user by an on-line communication with a credit

1 approval agency, and if the credit transaction is approved, to transmit a registration value over the
2 publicly accessible network to a computer of the user to register the unencrypted softgood on the
3 computer of the user, and to enter data related to the purchase within the database, ~~whereas without~~
4 ~~the registration value, a user is allowed only limited access to the softgood, each registration value~~
5 ~~received being added to the computer of the user, a presence of a registration value corresponding to~~
6 ~~a specific unencrypted softgood enabling playback of the specific unencrypted softgood in a full~~
7 ~~mode, an absence of a registration value corresponding to the specific unencrypted softgood enabling~~
8 ~~playback of the unencrypted softgood only in a demo mode.~~

9 36. (Original) The system of Claim 35, wherein the registration value is based upon at least
10 one of the user's name, the unique identifier for the unencrypted softgood, an identifier for the creator
11 of the unencrypted softgood, and a unique identification of a player program that is executed on the
12 computer of the user to play the unencrypted softgood.

13 37. (Original) The system of Claim 35, wherein each of the unencrypted softgoods includes
14 at least one of an identification of a specific copy of the software program used to produce the
15 unencrypted softgood, an identification of the creator of the unencrypted softgood, and a price of the
16 unencrypted softgood.

17 38. (Original) The system of Claim 35, wherein the server computer sends a current price to
18 the user before the purchase is completed, ~~said current price being stored in the data of the database.~~

19 39. (Currently Amended) The system of Claim 35, wherein the unencrypted softgood
20 enables the user to purchase the unencrypted softgood ~~when~~ while the unencrypted softgood is being
21 executed on the computer of the user.

22 40. (Currently Amended) The system of Claim 35, wherein a player program that is used to
23 play the unencrypted softgood communicates with the server computer over the network to facilitate
24 the purchase of the unencrypted softgood.

25 41. (Currently Amended) The system of Claim 35, wherein a preview of the unencrypted
26 softgood to a limited extent is permitted on the computer of the user before the unencrypted softgood
27 is purchased, and once the unencrypted softgood is registered on the computer of the user using the
28 registration value, use of the unencrypted softgood on the computer of the user is permitted to an
29 extent determined by a license of the unencrypted softgood.

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1 42. (Previously Cancelled)

2 43. (Previously Cancelled)

3 44. (Previously Cancelled)

4 45. (Currently Amended) A method for facilitating automated sale of softgoods, comprising
5 the steps of:

6 (a) providing to a creator of the softgoods a composer program that automatically
7 includes a unique identifier in each softgood before the softgood is distributed to prospective
8 purchasers, said unique identifier specifically referencing the creator of the softgoods, such that
9 softgoods created using the composer program:

10 (i) require a specific player program to be accessed; and

11 (ii) do not include any copy protection that prohibits the softgood from
12 being freely copied and freely distributed; and

13 (iii) are not encrypted;

14 (b) providing an agency that implements softgood purchase transactions and
15 maintains a database in which data relating to the sale of softgoods are stored, unique identifiers of
16 the softgoods being referenced in the database to track the softgood purchase transactions, such that
17 whenever a softgood is purchased, the agency provides a registration value corresponding to the unique
18 identifier for the softgood purchased to a computing system used to purchase the softgood;

19 (c) providing the specific player program to prospective purchasers, such that each
20 time the specific player program is used to play a softgood created using the composer program, the
21 specific player program automatically:

22 (i) checks the computing system on which the specific player program is
23 executing, to determine if a registration value corresponding to the unique identifier for the softgood has
24 been provided to said computing system to register the softgood on the computing system, and if so, plays
25 the softgood, providing access to its full range of benefits; but

26 (ii) if the registration value has not been provided to the computing system,
27 only ~~enabling~~ enables playing of the softgood in a preview mode, and ~~prompting~~ prompts a user to
28 purchase the softgood in a transaction with the agency; and

29 (d) distributing the softgoods to prospective purchasers, such distribution not
30 being limited to distribution over a private network.

1 46. (Currently Amended) The method of Claim 42 45, wherein if the registration value has
2 not been provided to the computing system, the specific player program automatically communicates
3 with the agency to determine if the unique identifier for the softgood is associated with a purchase of
4 the softgood made by a purchaser who is an authorized user of the computing system on which the
5 specific player program is resident, and if so, plays the softgood with its full range of benefits.

6 47. (Currently Amended) A system for facilitating purchase of an unencrypted softgood of
7 which copies are freely distributed to prospective purchasers for preview prior to purchase, said
8 softgood having a unique identifier that is included within the unencrypted softgood before its
9 distribution, comprising:

10 (a) a purchaser computer that includes a first processor coupled to a first memory
11 in which a plurality of machine instructions are stored that implement a plurality of functions when
12 executed by the first processor, a first network interface coupling the purchaser computer in
13 communication with a network, at least one user interface for input of data to the first memory, and a
14 display on which graphics and text are displayed;

15 (b) a remote computer that includes a second processor coupled to a second
16 memory in which are stored a plurality of machine instructions that implement a plurality of
17 functions when executed by the second processor, and in which a database containing data relating to
18 purchases of unencrypted softgoods are stored, a second network interface coupling the remote
19 computer in communication with the network and thereby selectively coupling the remote computer
20 in data communication with the purchaser computer via the network;

21 (c) the unencrypted softgood comprising machine instructions or media data that
22 are loaded into the first memory of the purchaser computer and not including any copy protection that
23 prohibits the unencrypted softgood from being freely copied and freely distributed, wherein other of
24 the machine instructions stored in the first memory comprise a player program that uses the
25 unencrypted softgood, said player program causing the first processor to carry out a plurality of the
26 functions when the machine instructions of the player program are executed by the first processor,
27 including:

28 (i) determining if a registration value corresponding to the unique
29 identifier of the unencrypted softgood that is to be played has been provided to the purchaser
30 computer, and if so, playing the unencrypted softgood so as to provide access to its full range of benefits;

1 (ii) if a registration value corresponding to the unique identifier of the
2 unencrypted softgood that is to be played has not been provided to the purchaser computer,
3 communicating with the database on the remote computer over the network to determine if an authorized
4 user of the purchaser computer has previously purchased the unencrypted softgood that is to be
5 played, and if so, playing the unencrypted softgood so as to provide access to its full range of benefits;
6 and

7 (iii) if a registration value corresponding to the unique identifier of an
8 unencrypted softgood that is to be played has not been provided to purchaser computer on which the
9 player program is resident, and if no authorized user of the purchaser computer has previously
10 purchased the unencrypted softgood that is to be played, playing the unencrypted softgood so as to
11 provide a limited access, to enable a preview of the unencrypted softgood, and enabling a user of the
12 purchaser computer to purchase the unencrypted softgood in a transaction with the remote computer
13 that is conducted over the network, such that when an unencrypted softgood is purchased, a
14 registration value corresponding to the unique identifier of an unencrypted softgood is received with
15 the unencrypted softgood; and

16 (d) wherein said plurality of functions implemented by said second processor in
17 the remote computer include:

18 (i) responding to a request to purchase the unencrypted softgood that is
19 received over the network from the purchaser computer;

20 (ii) confirming an approval of a credit purchase by the user of the
21 purchaser computer with a credit approval agency that is coupled to the network;

22 (iii) determining the registration value as a function of at least the unique
23 identifier of the unencrypted softgood;

24 (iv) sending the registration value to the remote computer over the network
25 to register the unencrypted softgood on the purchaser's computer; and

26 (v) allocating a portion of a purchase price of the unencrypted softgood set
27 by terms of a prior agreement to a creator of the unencrypted softgood.

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